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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/659,258	09/11/2000	Gregory Richard Hintermeister	IBM/155	5587

7590	01/13/2005

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EXAMINER
PILLAI, NAMITHA

ART UNIT	PAPER NUMBER
2173	

DATE MAILED: 01/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
	09/659,258	HINTERMEISTER ET AL.
Office Action Summary	Examiner	Art Unit	
	Namitha Pillai	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>07 July 2004</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-43</u> is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-43</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis

for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1.   Claims 1-7, 8-13, 15-20, 23-28, 30-33, 35-38 and 40-41 are rejected under 35

U.S.C. 102(e) as being clearly anticipated by U. S. Patent No. 6, 664, 985 B1 (Bormann et al.),

herein referred to as Bormann.

Referring to claim 1, Bormann discloses a method for managing computer

hardware components by displaying a pictorial representation on a computer display with a

plurality of hardware components and representing a physical configuration of each of the

plurality of hardware components (Figure 4). Bormann also discloses that in response to user

input, indicating a selected status for hardware components from the plurality of hardware

components within the pictorial representation with the plurality of hardware components

(Figure 4, column 3, lines 21-26 and column 6, lines 29-37).

Referring to claims 2 and 24, Bormann discloses a diagram of at least one enclosure

within which the plurality of hardware components is disposed, further depicting a physical

location of each of the plurality of hardware components in the enclosure (Figure 4 and column

6, lines 8-11).

Referring to claims 3 and 25, Bormann discloses a first view of the enclosure taken from a first viewpoint and wherein the pictorial representation further includes a second diagram depicting a second view of the enclosure taken from a second viewpoint (Figure 5 and column 6, lines 8-11).

Referring to claims 4 and 26, Bormann discloses an unused interface component which is used to configure physically interconnect with another hardware component further comprising managing the used user interface component through user input directed to the pictorial representation, as shown by the links shown in Figure 4 connecting the components together which can be manipulated by the user, as it is part of the glyphs (column 4, lines 40-44).

Referring to claims 5 and 27, Bormann discloses that each of the plurality of hardware components is associated with at least one attribute and a method to compare attributes associated with the plurality of hardware components against a filter criterion and selecting those hardware components associated with the attributes that match the filter criterion, the filter criterion being user's filtering methods for choosing one component wherein one component is chosen leaving the other components filtered out (column 4, lines 40-45). Bormann also discloses that the pictorial representation continues to depict at least one non-selected hardware component after a selection by the user of another component (column 6, lines 29-37).

Referring to claims 6 and 28, Bormann discloses that user input is used for generating the filter criterion (column 4, lines 40-45).

Referring to claim 8, Bormann discloses that each hardware component is associated with a hardware type and the filter criterion identifies a selected hardware type, wherein selecting those hardware components includes selecting those hardware components associated with the

selected hardware type, wherein the filter criterion based on the user input chooses a component

that would inherently be associated with a hardware type thereby with the selection, having an

identification means for identifying the hardware type (column 4, lines 40-45).

Referring to claim 9, Bormann discloses updating the indication of the selected status for

the hardware components responsive to selection of those hardware components associated with

attributes that match the filter criterion, wherein in addition to the highlighting the updating of

the selected status includes displaying additional information concerning the component chosen

(column 4, lines 40-45).

Referring to claims 10 and 30, Bormann discloses that each of the plurality of hardware

components is associated with at least one of a plurality of diagrams, each of which depicting a

physical location of at least one of the plurality of hardware components (Figure 5). Bormann

also discloses displaying within this pictorial representation only those diagrams from the

plurality of diagrams that depict the physical location of at least one hardware component having

a selected status, wherein the highlighted components in each of the diagrams shows that the

diagrams that are displayed are ones that depict the physical location of at least one component

that has a selected status (Figure 5).

Referring to claims 11 and 31, Bormann discloses visually highlighting those portions of

the pictorial representation that depict the physical configurations of the multiple hardware

components that have a selected status (column 3, lines 21-26).

Referring to claims 12 and 32, Bormann discloses updating the status of a hardware

component to one of selected status and an unselected status responsive to user input directed to

that portion of the pictorial representation that depicts the physical configuration of the first

hardware component, wherein an unselected component that is clicked on by the user on the

pictorial representation would then have a selected status, thereby showing the selected and

unselected status of a hardware component based on user input (column 4, lines 40-45).

Referring to claims 13 and 33, Bormann discloses performing a management operation

on all of the multiple hardware components that have a selected status responsive to user input

(column 6, lines 28-35).

Referring to claims 16 and 35, Bormann discloses a list of available management

operations associated with a hardware component among the plurality of hardware component in

response to user input directed to that portion of the pictorial representation that depicts the

physical configuration of the first hardware component (column 6, lines 28-35).

Referring to claims 17 and 36, Bormann discloses displaying a list of available

management operations within a context sensitive menu and initiating one of the available

management operations on the hardware component in response to user input directed to the

context sensitive menu (column 6, lines 28-35).

Referring to claims 18 and 37, Bormann discloses retrieving status information associated

with a first hardware component among the plurality of hardware components in response to user

input directed to that portion of the pictorial representation that depicts the physical

configuration of the first hardware component (column 4, lines 40-45).

Referring to claims 19, Bormann discloses including locating a user-manipulated pointer

over that portion of the pictorial representation that depicts the physical configuration of the

hardware component and displaying the retrieved status information within a pop-up window

disposed proximate that portion of the pictorial representation that depicts the physical

configuration of the hardware component (column 4, lines 40-45).

Referring to claims 20 and 38, Bormann discloses that the pictorial representation and

indicating the selected status are performed on a single computer, wherein all the needed

information is contained within that single computer (column 8, lines 35-40).

Referring to claims 23, Bormann discloses a program residing in memory (column 9,

lines 39-41). Bormann discloses a method for managing computer hardware components by

displaying a pictorial representation on a computer display with a plurality of hardware

components and representing a physical configuration of each of the plurality of hardware

components (Figure 4). Bormann also discloses that in response to user input, indicating a

selected status for hardware components from the plurality of hardware components within the

pictorial representation with the plurality of hardware components (Figure 4, column 3, lines 21-

26 and column 6, lines 29-37).

Referring to claim 40, Bormann discloses a program residing in memory (column 9, lines

39-41). Bormann discloses a method for managing computer hardware components by

displaying a pictorial representation on a computer display with a plurality of hardware

components and representing a physical configuration of each of the plurality of hardware

components (Figure 4). Bormann also discloses indicating in response to user input, a selected

status for hardware components from the plurality of hardware components within the pictorial

representation with the plurality of hardware components (Figure 4, column 3, lines 21-26 and

column 6, lines 29-37). Bormann also discloses a signal-bearing medium bearing the program

(column 8, lines 35-40).

Referring to claim 41, Bormann discloses that the signal-bearing medium includes at

least one of a recordable medium and a transmission medium (column 8, lines 35-40).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

2.   Claims 7, 14-15, 21-22, 29, 34, 39 and 42-43 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Bormann and U. S. Patent No. 5,768,552 (Jacoby), herein referred to as

Jacoby.

Referring to claims 7 and 29, Bormann does not specifically disclose that the user may

choose the type of filter criteria from a plurality of filter criterion. Jacoby discloses a means

through which a user may choose from among a plurality of filter criterion, the criterion being

amongst one of the scroll bar through which the user can manipulate the viewing window to

display the components of interest to the user. The user of Jacoby would chose one of the filter

criterion that is associated with a predetermined view among a plurality of views that may be

displayed through manipulation of the scrolls bars to filter out the undesired components and

access the component of interest to the user. It would have been obvious for one skilled in the

art, at the time of the invention to learn from Jacoby to allow the user to have a plurality of filter

criterion wherein based on a predetermined set of views. This plurality of filter criterion would

allow the user more flexibility and help in accessing the component of interest to the user.

Jacoby states that these scroll bars that are the plurality of predetermine filter criterion would

allow the user to access a particular component, wherein when combined with Bormann would give more accessibility to the user for displaying components of interest. Hence, Bormann would have been motivated to learn from Jacoby to allow the user to choose the type of filter criteria from a plurality of predetermined filter criterion wherein these filter criterions are associated with predetermined views, giving Bormann's user more flexibility and choices when accessing a desired component.

Referring to claims 14 and 34, Bormann does not disclose that hardware components are physically located in a plurality of computers. Bormann does disclose performing management operations on hardware components as stated previously. Jacoby discloses displaying components that are related to a plurality of computers and further more performing management operations that would involve each of the plurality of computers (column 9, lines 25-38). It would have been obvious for one skilled in the art to disclose that the hardware components are physically located in a plurality of computers. Bormann discusses an example of using distributed switch components to discuss the features of the invention but in addition adds that any types of hardware components are applicable to the features discussed in the invention (column 6, lines 52-56). Hence, it would have been obvious for Bormann to include hardware components that are associated with a plurality of computers and wherein any maintenance operations that would be applicable to these components would involve each of the plurality of computers that the components are a part of.

Referring to claim 15, Bormann and Jacoby disclose that at least two of the plurality of computers utilize different types of computer platforms (column 5, lines 15-20).

Referring to claims 21 and 39, Bormann does not disclose displaying the pictorial representation and indicating the selected status on a first computer and wherein at least a portion of the plurality of hardware components are physically located in second computer in communication with the first computer. Jacoby discloses displaying the pictorial representation and indicating the selected status on a first computer (column 3, lines 5-20) and in addition wherein the plurality of hardware components are physically located in a second computer in communication with the first computer (column 3, lines 24-27). It would have been obvious for one skilled in the art, at the time of the invention to learn from Jacoby to display the pictorial representation and indicating the selected status on a first computer and wherein at least a portion of the plurality of hardware components are physically located in second computer in communication with the first computer. Jacoby and Bormann are both inventions that deal with graphically displaying hardware components and displaying status information concerning these components, wherein Jacoby in addition includes that these hardware components involve components of a plurality of computers involving networks and access information from various other computers to display the necessary data. Bormann discusses an example of using distributed switch components to discuss the features of the invention but in addition adds that any types of hardware components are applicable to the features discussed in the invention (column 6, lines 52-56). Hence, it would have been obvious for Bormann to include hardware components that are associated with a plurality of computers and wherein a plurality of computers involving networks would include accessing component data across these networks from various different computers.

Referring to claim 22, Bormann does not disclose that the plurality of hardware

components is disposed in a computer selected from a group consisting of a single-user

computer, a multi-user computer, a clustered computer, a multi-unit computer. Jacoby discloses

that the plurality of hardware components is disposed in a computer selected from a group

consisting of a single-user computer, a multi-user computer, a clustered computer, a multi-unit

computer (column 2, lines 17-21). It would have obvious for one skilled in the art, at the time of

the invention to learn from Bormann to include that the plurality of hardware components is

disposed in a computer selected from a group consisting of a single-user computer, a multi-user

computer, a clustered computer, a multi-unit computer. Jacoby and Bormann are both inventions

that deal with graphically displaying hardware components and displaying status information

concerning these components, wherein Jacoby in addition includes that these hardware

components involve components of a plurality of computers involving networks. Bormann

discusses an example of using distributed switch components to discuss the features of the

invention but in addition adds that any types of hardware components are applicable to the

features discussed in the invention (column 6, lines 52-56). Hence, it would have been obvious

for Bormann to include hardware components that are associated with a plurality of computers

and wherein a plurality of computers involving networks would include various types of

computers from which these components are accessed.

Referring to claim 42, Bormann also discloses automatically generating a pictorial

representation on a computer display having a plurality of hardware components within the

plurality of computers (Figure 4 and column 4, lines 27-32). Bormann also discloses performing

at least one management operation on multiple selected hardware components among the

plurality of hardware components in response to user input directed to that portion of the

pictorial representation that represents the physical configuration of one of the multiple selected

hardware components, wherein as disclosed by Bormann, any of the components may be

selected the user to access information for performing management operations (column 6, lines

28-36). Bormann does not disclose that his invention for implementing this graphical user

interface can access a plurality of computers to identify a plurality of hardware components

resident in the plurality of computers. Jacoby does disclose accessing a plurality of computers to

identify a plurality of hardware components resident in the plurality of computers (column 2,

lines 17-30). It would have obvious for one skilled in the art, at the time of the invention to learn

from Bormann to include that the plurality of hardware components are accessed from a plurality

of computers to identify a plurality of hardware components resident in the plurality of

computers. Jacoby and Bormann are both inventions that deal with graphically displaying

hardware components and displaying status information concerning these components, wherein

Jacoby in addition includes that these hardware components involve components of a plurality of

computers involving networks. Bormann discusses an example of using distributed switch

components to discuss the features of the invention but in addition adds that any types of

hardware components are applicable to the features discussed in the invention (column 6, lines

52-56). Hence, it would have been obvious for Bormann to include hardware components that

are associated with a plurality of computers and wherein the plurality of hardware components

are accessed from a plurality of computers to identify a plurality of hardware components

resident in the plurality of computers.

Referring to claim 43, Bormann discloses each of the plurality of hardware components is associated with at least one attribute and wherein each of the plurality of hardware components is associated with at least one of a plurality of diagrams (Figures 4 and 5). Bormann discloses that each of the plurality of hardware components is associated with at least one attribute and a method to compare attributes associated with the plurality of hardware components against a filter criterion and selecting those hardware components associated with the attributes that match the filter criterion, the filter criterion being user's filtering methods for choosing one component wherein one component is chosen leaving the other components filtered out (column 4, lines 40-45). Bormann dynamically generating the pictorial representation includes displaying the pictorial representation only the diagrams with the selected hardware components (Figure 5).

Response to Claim Changes

3.   The Examiner acknowledges Applicant's amendments to claims 1, 5, 13, 23, 27, 33 and 40 to better specify the present invention. However, all claims are rejected under 35 U. S. C. 102 and 103 as being previously disclosed in prior arts.

Response to Arguments

4.   Applicant's arguments filed 7/7/04 have been fully considered but they are not persuasive.

With respect to Applicant's argument that Bormann does not disclose a pictorial representation of the physical configuration of the plurality of hardware components. Bormann as seen by the Figure 4 displays a picture, wherein this picture depicts the physical representation of hardware components. Bormann further points out that Figure 4 serves as a graphical representation of hardware components that are in the system (column 4, lines 27-33).

With respect to Applicant's arguments that Bormann does not disclose use of user input to select distinct hardware components. Bormann does disclose the use of automated selection of alarms, wherein certain components are highlighted by the system, but in addition to that Bormann does disclose allowing the user ability to select distinct hardware components, as is stated in the rejection.

With respect to Applicant's arguments that Bormann does not disclose means for indicating the selected status of multiple hardware components. Bormann discloses that user input is used to choose hardware components, wherein Bormann further points out how multiple components have been selected by the user and displaying, thereby displaying an indication as to the selected status of multiple hardware components (column 6, lines 28-36).

With respect to Applicant's arguments that Bormann does not disclose performing a management operation on multiple selected hardware components. Bormann teaches users choosing different components wherein in addition to this feature, Bormann teaches the ability to perform maintenance operations on the components, thereby teaching that management operations can be performed on selected hardware components.

With respect to Applicant's arguments that Bormann does not disclose a filter criterion and that each component displayed in the secondary window would be selected. A user choosing a distinct component can be interpreted as a filter criterion, wherein based on the user's selection process, the user by choosing a component has filtered out other unselected components thereby through the criterion chosen by the user. In addition, Bormann further discloses the ability to select each component, wherein the user can select various components simultaneously thereby it

having a selected status, and wherein the secondary windows are capable of displaying further

information concerning the selected components.

With respect to Applicant's arguments that Bormann does not disclose performance of a

management operation on multiple hardware components. Bormann discloses selecting multiple

hardware components and further teaching that maintenance tasks and operations can be

performed on selected multiple hardware components (column 6, lines 33-36).

Conclusion

5.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Responses to this action should be mailed to: Commissioner of Patents and Trademarks,

Washington D.C. 20231. If applicant desires to fax a response, central FAX number (703) 872-

9306 may be used. NOTE: A Request for Continuation (Rule 60 or 62) cannot be faxed. Please

label "PROPOSED" or "DRAFT" for informal facsimile communications. For after final

responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington,
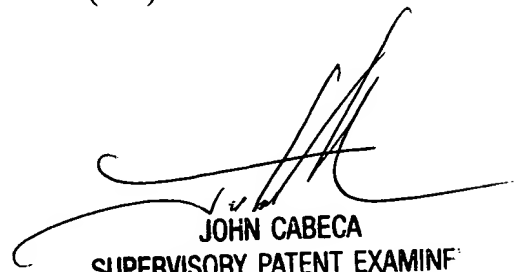
VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Namitha Pillai whose telephone number is (571) 272-4054. The

examiner can normally be reached on 8:30 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Cabeca can be reached on (571) 272-4048.

All Internet e-mail communications will be made of record in the application file. PTO

employees do not engage in Internet communications where there exists a possibility that

sensitive information could be identified or exchanged unless the record includes a properly

signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly

set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and

Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the Group receptionist whose telephone number is (703) 305-3800.

Namitha Pillai
Assistant Examiner
Art Unit 2173
January 2, 2005

JOHN CABECA
SUPERVISORY PATENT EXAMINF
TECHNOLOG